

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

LISA CRITTENTON-CATES,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	1:15CV857
NANCY A. BERRYHILL, <sup>1</sup> Acting	)	
Commissioner of Social Security,	)	
	)	
Defendant.	)	

**ORDER**

On April 26, 2017, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge [Doc. #15] was filed and served on the parties in this action. Within the time limitation set forth in the statute, counsel for Plaintiff objected to the Recommendation.

The Court has made a de novo determination which is in accord with the Magistrate Judge's report and, therefore, adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED** that Plaintiff's Motion for Judgment Reversing the Commissioner [Doc. #8] is **DENIED**, that Defendant's Motion for Judgment on

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<sup>1</sup> Nancy Berryhill recently became the Acting Commissioner of Social Security. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Nancy Berryhill should be substituted for Carolyn W. Colvin as Defendant in this suit. No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Act, 42 U.S.C. § 405(g).

the Pleadings [Doc. #12] is **GRANTED**, and that the final decision of the Commissioner is upheld. A Judgment dismissing this action will be entered contemporaneously with this Order.

This the 21<sup>st</sup> day of September, 2017.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge